
GROUNDWATER MANAGEMENT AREA 12 MEETING

This meeting was held in person with virtual attendance and participation.

The meeting recording may be viewed at

<https://posgcd.org/gma-12-agendas-minutes/>

May 23, 2024 – 10:00 a.m.

GMA 12 Members Present in Person

Gary Westbrook	POSGCD
Jim Totten	LPGCD
David Bailey	METGCD
Alan Day	BVGCD
David Van Dresar	FCGCD

GMA 12 Members Absent

None

Others Present in person

Entity

Steve Young	Intera
Robert Bradley	TWDB
Scott Carlson	MetWater
Andy Wier	SAWDF
Heather Dodson	TWDB
Barbara Fairweather	TWDB
Greg Sullivan	TWDB
Jimmy Killebrew	Wiggins Watermelons
Keither Schroeder	Burleson Co.
Brent Covert	TGI
Mike Thornhill	TGI
Kayleigh Nuyttens	RW Hardin & Associates
Courtney Gentry	POSGCD
Kelli Timmerman	POSGCD
Jaelyn Wise	POSGCD
Michael Redman	POSGCD
Gregory Perry	POSGCD
Bob Harden	Sadow Lakes Ranch (SLR)

Others Present online

Dacy Cameron
Leslie Soto
RY
Barbara Boulware-Wells
Chris Drabek

Daryn Hardwick - TWDB
DL
E Hernandez
Emily O'Leary
James Beach (AGS)
Jennifer Badhwar
Jim Mathews
Lyn Clancy
Megan Lamb
Neil Blandford
Rex Irby -Lee/adj Milam
Stasi Vance

MINUTES

1. Invocation

The invocation was given by Gary Westbrook.

2. Pledge of Allegiance

Alan Day led the pledges to the flags of the United States and Texas.

3. Call meeting to order and establish quorum

Mr. Westbrook called the meeting to order at 10:03 a.m. and noted that all five voting members of GMA 12 were present in person.

4. Welcome and introductions

Mr. Westbrook recognized the District representatives by name and invited them to introduce any person they desired. Mr. Westbrook introduced Burleson County Judge Keith Schroeder and Texas Water Development Board Representative, Robert Bradley.

5. Public Comment on Agenda Items

Mr. Westbrook welcomed anyone attending online or in person to make public comment on agenda items.

Judge Schroeder requested to defer comment to Agenda item 12.

Andy Wier, representing SAWDF, made public comment regarding agenda items 8, 11, 14, 15 and 17. He urged the GMA 12 representatives to come to agreement on tops and bottoms of aquifers and make them available to the public. He also urged GMA 12 to develop a GAM runs ton establish sustainable production from the Carrizo-Wilcox in perpetuity, and said SAWDF supported a GMA 12 Summit. He also asked the GMA to be cautious in any use of a MAG Peaking Factor.

Bob Hardin, representing SLR, made public comment regarding agenda item 10. He discussed requirements of beneficial use, defining property rights in groundwater, and

asked the GMA representatives to be realistic in considering increase in demands on groundwater. He stated that long-term planning was important. He also discussed characteristics of aquifer formations under artesian pressure and consistency of modeling and permitting among the GCDs in GMA 12.

6. Minutes of October 26, 2023 Groundwater Management Area (GMA 12) Meeting

Mr. Alan Day moved to approve the Minutes of the October 26, 2023 GMA 12 Meeting. He was seconded by David Van Dresar. The approval of the October 26, 2023 GMA 12 Meeting Minutes was unanimous of all present.

7. Discussion of actions taken by GMA 12 Districts in response to SB 2440, 88th Legislature

Mr. Westbrook briefly reviewed the intent of SB2440 and referenced items from Chapter 23, TCEQ Rules, which had been provided to the members of GMA 12, and asked if any of the GCDs had adopted policies to implement this Bill. He stated that POSGCD is working on setting guidelines for the Board to review at the June Board Meeting. David Bailey stated pumping for subdivisions in his District is out of the Yegua-Jackson, Sparta and Queen City aquifers. Mr. Day noted that BVGCD has not developed any guidelines at this time and that most subdivisions coming to Brazos Valley are over the Carrizo-Wilcox aquifer. Jim Totten stated that LPGCD started addressing this issue prior to the law being adopted. They are reviewing applications filed with Lee and Bastrop Counties based on well records and making recommendations to the county.

8. Update on efforts related to improvement to science and studies used by Districts in GMA 12

Dr. Steve Young, Intera, provided a presentation entitled "Overview of POSGCD Reclamation Project" and discussed work being performed on behalf of POSGCD to update and improve the Groundwater Availability Model (GAM) to create the "POSGCD Operational Model" using funds awarded from the Bureau of Reclamation. Mr. Totten noted a recent similar award from the Bureau of Reclamation which LPGCD will use for improvements to the GAM in the LPGCD. Mr. Van Dresar noted that FCGCD had performed evaluations of the GAM in their District in 2008, and from 2013 through 2017.

9. Discussion of presentations and comments received by GMA 12

Mr. Westbrook asked GMA 12 Members if they had any points of presentations received to date which they would like to discuss. Mr. Westbrook noted a presentation given at the last meeting by Carlos Rubenstein of RSAH2O and Vanessa Puig-Williams of Environmental Defense Fund concerning State Water Planning and the DFC Process. He briefly discussed items from this discussion and noted this presentation was still on the POSGCD website. Mr. Totten reminded that the GMA 12 members that they had received a request to define sustainability. Mr. Westbrook reminded everyone that there is a form available on the GMA 12 page on the POSGCD website to assist anyone who desires to file comments with the GMA and that comments are always welcome. No further discussion was held.

10. Discussion and comparison of Management Plans, Rules, and Management Strategies of the Districts in GMA 12 as required by Chapter 36.108

Agenda items 10-14 were opened simultaneously.

Mr. Westbrook overviewed POSGCD Management summary which was handed out to members and posted on the POSGCD website under this meeting. Mr. Day overviewed BVGCD Management summary, also handed out to members and posted on the POSGCD website under this meeting. Mr. Bailey overviewed METGCD Management summary, also handed out to members and posted on the POSGCD website under this meeting. Mr. Van Dresar gave a summary of FCGCD Rules. Mr. Totten gave a summary of LPGCD Rules. GMA 12 Members discussed rules, regulations and management of their respective Districts and how these managements differed and how they were similar.

11. Discussion of permitted production of aquifers in GMA 12

Mr. Day reviewed a handout which he provided that shows former and current MAGs, trends, total permitted wells and acre/feet permitted in BVGCD. GMA 12 members discussed this report with Mr. Day answering questions. Mr. Westbrook reviewed a handout which detailed permitted amounts versus production amounts from 2023 from POSGCD. Mr. Van Dresar noted that FCGCD's total permitted production was over 3,200 acre/feet and mainly out of the Yegua-Jackson. Discussion ensued concerning this information. Mr. Day noted a significant increase in permits issued by BVGCD in the Simsboro and discussed projected impacts on aquifers in the GMA. He also stated BVGCD sees DFCs as both planning and regulatory and BVGCD will use the adopted DFCs for curtailment. Mr. Westbrook agreed, and stated POSGCD sees DFCs as a regulatory limit which according to statute must be achieved but not exceeded.

Steve Young of Intera asked about plans for mitigation in GMA 12. Mr. Van Dresar stated FCGCD does not have a mitigation program. Mr. Westbrook briefly discussed POSGCD's Groundwater Well Assistance Program. He also noted that discussion about a joint effort between BVGCD, POSGCD, and LPGCD had taken place but had not moved forward to establish any common efforts to date. Mr. Totten stated that LPGCD had reinstated their mitigation program. Mr. Day noted that BVGCD had one permittee which had volunteered to fund up to \$3.5 million prior to their project coming on line. He also noted that BVGCD had decided not to pursue a common effort with the other districts at this time. Mr. Bailey stated METGCD presently does not have a mitigation program.

12. Discussion of monitoring, reporting and evaluations of compliance with Desired Future Conditions (DFCs)

Burleson County Judge Keith Schroeder made comment stating that a lot of the export in the area is coming out of Burleson County and he has concerns about whether Burleson County will have water available for the future to handle the anticipated growth. He

asked GMA 12 members to consider the need to provide water in the future for local needs.

The GMA 12 Members discussed DFC Compliance. Mr. Westbrook noted that POSGCD had reviewed a report on compliance last November and that the Sparta and Carrizo Aquifers were at Threshold 1 according to Section 16 of the POSGCD Rules. Mr. Day noted that BVGCD had reviewed compliance last summer and would review compliance again this summer. He also stated that BVGCD is reviewing its rules with regard to thresholds and curtailment. It was noted that every District is in compliance with DFCs, but each District is in different places with their thresholds and process of compliance.

13. Discussion of requirements of Chapter 36.108 in adopting DFCs

GM Westbrook noted the GMA 12 members had previously voted unanimously to move forward with review of current DFCs with the 9 factors required, and that three of the 9 factors had been discussed during the October 26, 2023 meeting. He stated he would see which of the factors could be discussed at the next meeting.

14. Evaluation and discussion of past and future pumping files and scenarios using the Sparta/Queen City/Carrizo-Wilcox Groundwater Availability Model (GAM) and results, including predicted water levels and water budgets

Mr. Day noted that BVGCD would be updating pumping files from GAM Run S-19 and evaluating model runs, and then return that information to GMA 12. Mr. Totten stated LPGCD would bring similar information to GMA 12 as well.

15. Discussion of possible groundwater summit for GCDs in GMA 12

After discussion, members requested Mr. Westbrook proceed with again requesting Board members from each GCD to work together toward this end. This agenda item was tabled and will be discussed at the next GMA 12 Meeting.

16. Discussion on sharing of responsibilities and expenses of cost for work performed by each GCD in recent rounds of joint planning

Mr. Van Dresar stated FCGCD had expended approximately \$59,000 between GMA 15 and GMA 12 over the last five years, with the amount being shared equally between the two GMAs. Mr. Day stated that BVGCD expenses had been approximately \$160,000 to \$200,000 over that time period. Mr. Westbrook stated that POSGCD had expended approximately \$280,000 during that period. Mr. Totten noted that this exercise had been at the request of one of his Board members and that he had not prepared information for this meeting. Mr. Bailey stated he had not prepared information for the meeting either. Mr. Totten noted that BVGCD, LPGCD, and POSGCD had taken turns having their consultants perform different duties from modeling to writing the Explanatory Report and it had seemed to work well and provide a general balance between the three districts. All agreed to discuss this further at the next meeting.

17. Discussion and possible action on use of MAG Peak Factor for water users during this round of joint planning

Mr. Westbrook noted that this item had remained on the agenda in case there was a request during the regional water planning process but there had been no requests to date. After discussion, it was decided that this item would be taken off of the agenda moving forward.

18. Public Comment on non-agenda items

Mr. Westbrook welcomed anyone attending online or in person to make public comment on non-agenda items. No comments were offered.

19. Update from Texas Water Development Board

Robert Bradley, Texas Water Development Board, stated Jeff Walker retired in March and that Brian McMath is the Interim Executive Administrator.

He noted that according to TCEQ Rules, TWDB should receive a copy of any Groundwater Availability studies from consultants. For modeling issues, contact Daryn Hardwick.

He also noted 9 out of 15 GMAs are waiting for GAMs to be updated.

He then introduced Heather Dodson, team lead for Groundwater Data Team. Ms. Dodson introduced new full-time data analyst Greg Sullivan and intern Barbara Fairweather. Ms. Dodson requested water level data from 2023.

20. Agenda items and date for next meeting

Mr. Westbrook stated he would put together a list of agenda items and send out to GMA 12 Members at a later date. The next GMA 12 Meeting was tentatively scheduled for August 1st, 2024 at 10:00 am.

21. Adjourn

The meeting was adjourned at 1:10 p.m.

THE ABOVE MINUTES OF THE MEETING OF GROUNDWATER MANAGEMENT AREA 12 HELD ON MAY 23, 2024 WERE APPROVED AND ADOPTED BY GMA 12 ON _____.

ATTEST:

Mid-East Texas Groundwater Conservation District

Fayette County Groundwater Conservation District

Brazos Valley Groundwater Conservation District

Lost Pines Groundwater Conservation District

Post Oak Savannah Groundwater Conservation District
